

ORDINANCE NO. 06-O-\_\_\_\_

AN ORDINANCE OF LEON COUNTY, FLORIDA, AMENDING THE LEON COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 10 TO INCLUDE CONNECTIVITY REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS traffic congestion on major roadways constitutes a growing problem, which adversely affects the economy, the environment, and the public health, safety and welfare;

WHEREAS it is in the best interest of the health, safety and welfare of the citizens of Leon County/Tallahassee to minimize emergency response time and provide other services in the most efficient manner;

WHEREAS traffic congestion on arterials and collector roadways can be reduced by the development of a network of interconnecting streets that work to disperse traffic while connecting and integrating neighborhoods with the existing fabric of the community;

WHEREAS the Tallahassee-Leon County Comprehensive Plan supports bicycle and pedestrian accessibility and reduction of vehicle trip demand;

WHEREAS the County/City must maintain a balance between enhancing accessibility and limiting excessive through traffic in residential areas;

WHEREAS the City of Tallahassee desires to promote public health, active living, and safe routes for children, and to reduce the economic cost of obesity;

Now, THEREFORE, BE IT ENACTED by the People of Leon County, Florida, as follows:

**Section 1. Title**

This Ordinance shall be known as the "Connectivity Ordinance."

**Section 2.**

Sec. 10-1527. General layout design standards, shall be amended as follows:

Sec. 10-1527. General layout design standards

(a) A subdivision and every lot therein, as well as each undivided site to be developed, shall have legal access to a publicly dedicated street. Except for use with subdivisions that are to be platted, legal access shall also include licenses of way which are held by

1 property owners, on the condition that the license holder agrees to execute a license  
2 recognition agreement with Leon County as a condition for the issuance of the permit.  
3 The license recognition agreement shall be in a form approved by the county attorney,  
4 and shall include covenants which shall run with the land, acknowledging the existence  
5 of a terminable license agreement as the access basis for the issuance of the permit and  
6 agreeing that the licensee shall hold Leon County harmless for the issuance of such  
7 permit. Each permit granted pursuant to this license provision shall only be issued after  
8 the department has given notice of intent to issue such permit to the owners of all  
9 property that abut the license location, other than the licensor and any entity maintaining a  
10 public street adjoining the license area. The requirement for legal access for a lot of  
11 record as of January 1, 1984 shall be waived where the existing parcel does not have  
12 legal access at the time a permit application is filed for any residential use, provided that  
13 the existing parcel has at the time the permit application is filed and has previously  
14 maintained actual access through one or more adjoining parcels, one of which is at least  
15 1,000 acres in size; provided that as a condition to approval for such permit, the applicant  
16 acknowledges such lack of legal access in a form approved by the county attorney, and  
17 records such form in the public records of Leon County, and agrees to hold Leon County  
18 harmless for the subsequent issuance of any such permits.

19 (b) New development shall be designed to implement a pedestrian mobility system that  
20 facilitates access to residential development, business establishments, community  
21 facilities and non-residential land uses, and, provides safe and convenient linkage  
22 between developments and the public and private street system.

23 Design shall support the development of a network of interconnecting streets that  
24 work to disperse traffic while connecting and integrating neighborhoods with the existing  
25 fabric of the community. Such a network is desirable in order to provide choices for  
26 drivers, bicyclists, and pedestrians, connect neighborhoods to each other and to local  
27 destinations, reduce vehicle miles of travel and travel times, improve air quality, reduce  
28 emergency response times, increase effectiveness of municipal service delivery, and free  
29 up arterial capacity to better serve regional long distance travel needs.

30 The following standards shall apply to all new development, including subdivisions,  
31 undivided sites proposed to be developed, and construction of new streets:

32 (1) Within the urban services area, new development shall be designed and  
33 constructed to facilitate pedestrian mobility in and between residential  
34 developments; between residential development and nearby businesses,  
35 recreational opportunities, and community facilities; and, to connect places of  
36 business to one another and to residential developments.

37 (2) Within the urban services area, all new development, as well as  
38 reconstruction, expansion, and extension, as defined in article X, division 3, shall  
39 provide sidewalks along all public and private streets adjoining the development.  
40 The order of preference in placing the sidewalk is as follows: (a) within the public  
41 right-of-way; (b) at an alternative location parallel to the right-of-way; and (c)

1 elsewhere on the development property, if approved by the county engineer. For  
2 those developments where sidewalks cannot be located within the public right-of-  
3 way, the developer must provide and record in the public records of Leon County,  
4 Florida, all easements necessary to guarantee public access to the sidewalk.

5 (3) Within the urban services area, non-residential and multifamily residential  
6 development shall provide safe and efficient sidewalk linkages between building  
7 entrances and parking areas, adjacent portions of the development, and adjacent  
8 rights-of-way. At least one accessible route in accordance with the Florida  
9 Accessibility Code shall connect buildings to parking areas and adjacent rights-of-  
10 way.

11 (4) In addition to the requirements of paragraph (2), within the urban services  
12 area, both commercial and office development shall provide internal sidewalk  
13 interconnection between adjacent commercial and office development. This  
14 requirement does not apply to the following development proposals: (a) where the  
15 building entrance is located within 30 feet of a sidewalk along an adjacent right-  
16 of-way serving both developments, (b) where the length of the common property  
17 boundary of the two adjacent developments is less than 50 feet, (c) where  
18 construction or use of the sidewalk would have an adverse impact upon a  
19 preservation area, as defined in article X, and (d) where a sidewalk would create a  
20 safety hazard.

21 (5) Within the urban services area, nonresidential and multi-family  
22 development shall be designed to require vehicular and pedestrian cross access to  
23 adjacent commercial, office, multi-family, recreation, and community facility uses  
24 to reduce the necessity of using the public street system in order to move between  
25 adjacent and complementary land uses. Shared access points on public or private  
26 streets shall be required where determined necessary by the Public Works  
27 Director or designee to protect capacity on adjoining roadways or in the interest  
28 of public safety. Thus, the following shall apply:

29 a. If the adjacent site is developed and cross access is feasible, the developer  
30 shall design and build the appropriate cross-access to the property line of  
31 the adjacent parcel.

32 b. If the adjacent site is developed but cross-access is not feasible at this  
33 time, as determined by the Public Works Director or designee, the  
34 developer shall design and build the appropriate cross-access to the  
35 property line of the adjacent parcel in anticipation of connection by that  
36 adjacent parcel when redeveloped, unless determined impractical by the  
37 Public Works Director or designee.

38 c. If the adjacent site is undeveloped, the developer shall design and build  
39 the cross-access to the property line of the adjacent parcel in anticipation  
40 of future connection when that site is developed.

- 1           d. The minimum pavement width of a vehicular and pedestrian cross-access  
2           shall be determined by the Public Works Director or designee and shall be  
3           designed to allow for vehicular and pedestrian cross access to adjacent  
4           commercial, office, multi-family, recreation, and community facility uses  
5           to encourage shared access points on public or private streets.

6           (56) Within the urban services area, sidewalks shall be constructed on both  
7           sides of all new arterial and collector streets. Sidewalks are required on at least  
8           one side of all other new streets within residential and non-residential  
9           subdivisions.

10          (67) A sidewalk is not required where it will result in an obstruction to planned  
11          improvements in the area by the Board of County Commissioners or other  
12          governmental entity.

13          (78) Sidewalks shall be installed and constructed in accordance with the  
14          requirements and specifications of the county engineer.

15          (9) Streets shall interconnect within a development and with adjoining  
16          development, and the street system of a proposed development shall be designed  
17          to coordinate with any existing or proposed streets outside of the development.

18           a. The proposed development shall include street connections to existing or  
19           proposed streets or rights of way that abut, are adjacent to, or terminate at  
20           the development site, unless determined impractical by the Public Works  
21           Director or designee.

22           b. The proposed development shall dedicate right-of-way that extends to  
23           undeveloped or partially developed land that is adjacent to the  
24           development site or that is separated from the development site by a  
25           drainage channel, transmission easement, survey gap, or similar property  
26           condition. Right-of-way shall be provided to the property line to provide  
27           for future development, and shall be in locations that will not prevent the  
28           adjoining property from developing consistent with applicable standards,  
29           as determined by the Development Review Committee.

30           c. The requirements of paragraph 9(a) and (b) above do not apply if it is  
31           demonstrated, in the opinion of the Development Review Committee, that  
32           a connection cannot be made because of the existence of one or more of  
33           the following conditions:

34           i. Physical conditions preclude development of the connecting street.  
35           Such conditions may include, but are not limited to, topography or  
36           likely impact to natural resource areas such as wetlands, ponds,  
37           streams, channels, rivers, lakes, wildlife habitat area, or other  
38           conservation or preservation features;

1                   ii. Buildings or other existing development on adjacent lands,  
2                   including previously subdivided but vacant lots or parcels,  
3                   physically preclude a connection now or in the future, considering  
4                   the potential for redevelopment.

5           (10) Pedestrian and emergency access shall be provided to any adjoining public  
6           school where such connection is coordinated with the school system, public  
7           building, public park, trail, bikeway or transit stop.

8           (11) Where residential developments have culs-de-sac or dead-end streets, such  
9           streets shall be connected to the closest local or collector street or to culs-de-sac in  
10           adjoining subdivisions via a sidewalk or multi-use path, unless deemed  
11           impractical or unsafe by the Development Review Committee.

12           (12) All paths shall connect to the street system in a safe and convenient  
13           manner, as determined by the Development Review Committee, based on the  
14           following criteria:

15                   a. All path connections shall be well signed with destination and directional  
16                   signing.

17                   b. All paths shall be built in locations that are visible and easily accessible,  
18                   for the personal safety of users.

19                   c. All paths, including those where multiple uses are intended (i.e., shared  
20                   pedestrian and bicycle traffic), shall be constructed of durable, low-  
21                   maintenance materials, with sufficient width and clearance to allow users  
22                   to proceed at reasonable speeds, as determined by the Public Works  
23                   Director or designee.

24           (c) No direct driveway access shall be permitted to a canopy road or, inside the urban  
25           service area, to a major collector or arterial roadway from any newly created residential  
26           subdivision lot, unless a variance is granted by the county.

27           (d) Access points for a development shall be designed to prevent avoidable interference  
28           with traffic flow.

29           (e) Frontage roads when required shall separate commercial development from adjacent  
30           arterial and major connector roadways.

31           (f) Bicycle lanes and bicycle paths are required in conjunction with planned minor  
32           collector and above roadways to provide access in and between developments.

33           (g) The following apply to easements:

34                   (1) Off-road utility easements shall be at least 20 feet wide. Off-road utility  
35                   easements may be reduced, if approved by the county engineer or the utility

1 provider, to minimum of 15 feet in width if it can be adequately demonstrated by  
2 the applicant that such width is sufficient for the effective operation and  
3 maintenance of said utility(ies). The county shall develop criteria to be utilized by  
4 the engineer of record in determining whether or not to allow an off-road utility  
5 easement width of less than 20 feet.

6 (2) Drainage easements shall conform substantially to the 100-year floodplain of  
7 watercourses, waterbodies and wetlands and shall be of sufficient width for  
8 construction and maintenance, unless a broader conservation easement is more  
9 appropriate.

10 (h) The following apply to lots:

11 (1) No lot shall have a buildable area of less than 35 feet between the front and  
12 rear yard setback lines nor shall it be less than the required minimum width and  
13 depth specified in article X, or subsequent land development regulations which  
14 supersede same. Depth and width of lots subdivided for nonresidential purposes  
15 shall be adequate for building area, off-street parking, and service facilities  
16 required by the type of use and development anticipated. No lot shall have a  
17 minimum frontage of less than 15 feet.

18 (2) There shall be no double frontage residential lots access except to provide  
19 separation of development from arterial streets or canopy roads or to overcome  
20 specific disadvantages of topography, orientation and property size.

21 (3) No development shall occur in areas where physical constraints or hazards  
22 exist as determined by Article VII. In such areas, density or intensity of use shall  
23 be located in adjacent areas to reflect the constraint.

24 (4) Flag lots are prohibited unless their use is specifically granted by a variance.

25 (5) No new developments shall be permitted which would allow development to  
26 occur within 100 feet of the centerline of a canopy road except for legal access  
27 (provided no alternative exists) or for health, safety or welfare of the public and  
28 only within the written approval of the Board of County Commissioners.

29 (6) Lot corners shall be marked with permanent monumentation by a land  
30 surveyor upon approval and recordation of the final plat.

31 (7) The following apply to blocks in the urban services area only:

32 a. Residential blocks shall not be greater than 1,400 feet in length.

33 b. Through-block pedestrian rights-of-way or easements not less than 20  
34 feet in width in residential blocks greater than 1,000 feet in length shall be  
35 required where necessary to provide access to schools, play grounds and  
36 other community facilities. 1

1 (8) Preservation of existing protected trees is encouraged and is subject to the  
2 provisions of Article VII.

3 (i) Private streets providing sole access to one or more lots are permissible only if all the  
4 following requirements are met:

5 (1) The minimum width of the right-of-way shall comply with county  
6 requirements. Additional width may be required if necessary for drainage or  
7 utilities outside the area of the driving surface or on-street parking facilities if  
8 permitted. A lesser width may be granted to protect large trees or other  
9 environmental features.

10 (2) Design, location, and improvement shall provide for safe intersection with  
11 public streets, safe passage of public service and emergency vehicles, and  
12 protection of adjoining property, and adequate turnaround at the end of the dead-  
13 end.

14 (3) Private streets shall be built to public construction standards; provided,  
15 however, that access to lots created pursuant to policy 2.1.9 of the comprehensive  
16 plan is not required to comply with this requirement.

17 (4) The term "private street" shall not include driveway.

18 (5) Agreements for the continuing common use of the private street by occupants  
19 of the property served, drainage, access easements for public service and  
20 emergency vehicles, and continuing private maintenance to keep the street in  
21 condition for safe passage of public service and emergency vehicles shall be  
22 reviewed and approved in advance by the county attorney.

23 (6) For private streets, the final plat and any sales documents on their face, in  
24 boldface letters, shall contain the following language: The county does not have  
25 responsibility for maintenance of the streets and drainage easements serving this  
26 property, if any, and the purchaser may be responsible for such maintenance.

27 (7) The land area within a private street, stormwater, conservation areas, and  
28 other such private facilities shall not be included in calculations for meeting  
29 design standards for individual lots as specified in Article X. Common ownership  
30 and maintenance of these private facilities shall be provided.

31 (j) Within developments created pursuant to this article, the applicant shall install,  
32 grade, and construct all new streets in accordance with the requirements and  
33 specifications of the county.

34 (k) Bikeways either along streets or through a separate system of recorded easements  
35 shall be provided in residential developments created inside the urban services area and  
36 approved pursuant to these regulations and shall be installed in accordance with the  
37 requirements and specifications of the county.

(l) The following design standards shall apply to all streets:

(1) All streets, whether public or private, shall be paved within the urban service area and designed in accordance with the Green Book standards for pavement and base specifications.

(2) Pavement widths, median strips, parking lanes, sidewalks and other traffic engineering features shall be constructed, unless otherwise herein specified, in accordance with adopted policies and guidelines of the Board of County Commissioners.

(3) Within or adjacent to the proposed development, arterial and collector streets shall provide for the continuation of arterial or collector streets from surrounding areas, except where topographic or other conditions make such continuance projection unnecessary, or impracticable. Collector streets shall intersect with collector or arterial streets at safe and convenient locations.

~~(4) Local streets within or adjacent to subdivisions in residential neighborhoods shall be so designed that their use by through traffic is discouraged.~~ Local streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation, but such connections should not be encouraged where the effect would be to promote the use of such streets by substantial through traffic.

(5) Local streets shall be designed - by incorporation of such features as reduced front setbacks, professionally accepted methods of traffic calming, landscaping, street furniture, pedestrian scale street lighting, etc. - to discourage through traffic, but to provide linkages between neighborhoods, access to commercial, office, multi-family, recreation, community facilities, and schools, and maintaining access for service and emergency vehicles.

(56) Street jogs shall meet the offset standards established by the engineer.

(67) Street intersections shall not include more than four street approaches.

(78) Streets shall be designed to intersect as nearly as possible at right angles and no street shall intersect another at less than 75 degrees, provided that other arrangements for smooth merging of traffic shall be permitted when the total effect of the intersection is to reduce traffic hazards and provide for smooth traffic flow at the intersection as a whole.

(89) A roadway which connects two public roads classified higher than local is a connector road and shall be built to public standards and dedicated to the public for maintenance.



1 (910) In the urban fringe and within the urban service area dead-end streets shall  
2 have at least minimum turnaround dimensions for a single unit design vehicle.

3 (~~40~~11) In the urban fringe and within the urban services area, any new street that  
4 exceeds one lot in depth will require construction of a temporary turnaround.

5 (~~44~~12) All new streets shall be designed and built with geometric features to  
6 accommodate a single-unit design vehicle.

7 (~~12~~13) Railroad rights-of-way and limited-access highways, where so located as  
8 to affect the development of adjoining land, shall be treated as follows:

9 a. In residentially zoned districts, the lot depth adjacent to the railroad  
10 right-of-way or limited-access-highway shall be 25 feet more than the  
11 minimum required by Article X. No structure shall be placed within 25  
12 feet of such lot adjacent to the railroad right-of-way or highway.

13 b. No street which crosses a railroad at grade shall intersect another street  
14 within 150 feet of the railroad right-of-way, except that such minimum  
15 shall not apply in nonresidential subdivisions when the street is neither the  
16 primary nor sole accessway to the adjacent lots.

17 c. Traffic signals shall be required where indicated by the county  
18 engineer.

19 (14) Connections to Private Streets. In cases where a private street is being  
20 built, but there is potential for connection to adjacent properties, the proposed  
21 development shall dedicate right-of-way that extends to undeveloped or partially  
22 developed land that is adjacent to the development site or that is separated from  
23 the development site by a drainage channel, transmission easement, survey gap, or  
24 similar property condition. Right-of-way shall be provided to the property line to  
25 provide for future development, and shall be in locations that will not prevent the  
26 adjoining property from developing consistent with applicable standards, as  
27 determined by the Development Review Committee.

28 (15) Future Street Connection Signage. All dead-end streets and street stubs  
29 that have the potential to connect to adjacent property or with nearby streets must  
30 be signed with the following language: "This cul-de-sac or stub-out is temporary.  
31 The street will be extended when the adjacent property develops."

32 (m) The following apply to street names:

33 (1) Streets which are extensions of existing streets shall have the same name.

34 (2) No street names shall be used which will duplicate or be confused with the  
35 names of existing or proposed streets.

(3) All street names shall be approved by the county administrator prior to the approval of the site and development plan.

(4) Any changes in names of streets must be approved by the Board of County Commissioners.

**Section 3. Conflicts.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, as of the effective date of this ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

**Section 4. Severability.**

If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of the ordinance.

**Section 5. Effective Date.**

This ordinance shall become effective upon adoption.

PASSED by the Board of County Commissioners on the \_\_\_\_ day of \_\_\_\_ 2006.

LEON COUNTY, FLORIDA

\_\_\_\_\_  
Bill Proctor, Chairman  
Board of County Commissioners

ATTEST:  
Bob Inzer, Clerk of the Court

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1 Leon County, Florida  
2  
3

4 By: \_\_\_\_\_  
5  
6

7 APPROVED AS TO FORM:  
8 Leon County Attorney's Office  
9 Leon County, Florida  
10  
11

12  
13 By: \_\_\_\_\_  
14 Herbert W. A. Thiele, Esq.  
15 County Attorney  
16